

AMENDED

Nº 46761

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office MAR 24 1983

Returned to applicant for correction _____

Corrected application filed MAR 30 1983

Map filed MAR 30 1983

The applicant JAMES AKERS

Post Office Box 29 _____, of Crescent Valley

Street and No. or P.O. Box No.

City or Town

Nevada 89821 _____, hereby make 5 application for permission to appropriate the public

State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) _____

1. The source of the proposed appropriation is underground.
Name of stream, lake, spring, underground or other source _____

2. The amount of water applied for is 0.67 c.f.s. _____ second-foot
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet _____

3. The water to be used for mining, milling and domestic.
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated: _____

(b) Stockwater, state number and kinds of animals to be watered: _____

(c) Other use (describe fully under "No. 12, Remarks") mining, milling and domestic

(d) Power:

(1) Horsepower developed _____

(2) Point of return of water to stream _____

5. The water is to be diverted from its source at the following point: within the NE¼NW¼ of Section
Describe as being within a 40-acre subdivision of public
27, T.28N., R.47E., M.D.B.&M., or at a point from which the Northwest corner
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
of said Section 27 bears N84°36'W 1,350'.

6. Place of use All of Sections 22 and 27 of T.28N., R.47E., M.D.B.&M.
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

7. Use will begin about January 1st and end about December 31st, of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Existing 8" well; pump, motor and
State manner in which water is to be diverted, i.e. diversion structure, ditches and
pipelines.
flumes, drilled well with pump and motor, etc.

9. Estimated cost of works in excess of \$20,000.00

10. Estimated time required to construct works. Two (2) years. There is an existing 8" well.
If well completed, describe works.
but additional time is needed to install the pipeline and determine if
well is useable.

11. Estimated time required to complete the application of water to beneficial use Five (5) Years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water is to be used for a mining and milling operation which will run
eight hours a day, seven days a week. Estimated annual consumptive
use will be approximately 53,325,000 gallons.

JOHN H. MILTON, III, R.L.S., S.W.R.S., AGENT

By s/John H. Milton III
146 West Second Street
Winnemucca, Nevada 89445-3493

Compared js/bl dcb/br

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and

not to exceed 0.67 cubic feet per second, but not to exceed 52.7 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before January 13, 1986

Proof of completion of work shall be filed before February 13, 1986

Application of water to beneficial use shall be made on or before January 13, 1989

Proof of the application of water to beneficial use shall be filed on or before February 13, 1989

Map in support of proof of beneficial use shall be filed on or before _____

Completion of work filed _____ IN TESTIMONY WHEREOF, I PETER G. MORROS,
State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed _____ my office, this 13th day of JANUARY,

Cultural map filed _____

Certificate No. _____ A.D. 1984 _____

Issued _____

218 (Rev.)

Peter G. Morros
State Engineer

MAR 27 1986

CANCELLED BY APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

STATE ENGINEER

subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies:

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

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